HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No. 13521 of 2007

Dated 27th July 2007

Between:

P.Ramdas.

…Petitioner

and

A.P.Central Power Distribution Corporation Ltd and another.

…Respondents

HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No. 13521 of 2007

O R D E R:

The petitioner claims to be in possession of premises bearing Door No.11-114 at B.J Ram Nagar, Malkajgiri, Ranga Reddy District. It is represented that the second respondent is a resident of the neighbouring premises bearing Door No.11-113 and she is receiving power supply through the meter fixed in Door No.11-114. The petitioner made an application to the first respondent, for grant of Service Connection to his premises. His grievance is that no

action has been taken thereon.

At the stage of admission, the learned Standing Counsel for the first respondent had obtained instructions. It is stated that the wife of the petitioner filed O.S.No.1166 of 2006 in the Court of Principal Junior Civil Judge, Ranga Reddy District, against the second respondent, for perpetual injunction. I.A.No.2384 of 2006 was also filed under Order 39 Rule 1 C.P.C. A copy of the order, dated 27.10.2006, through which the trial Court dismissed the I.A., is placed before this Court.

Learned counsel for the petitioner submits that C.M.A.No.267 of 2006 was filed in the Court of I Additional District Judge, Ranga Reddy District, against the order in the I.A. As the things stand now, the trial Court did not accept the contention of the wife of the petitioner that she is in lawful possession of the premises. The question of releasing power supply to the premises would arise, if only the applicant is in lawful possession of the same. In case, the wife of the petitioner is able to establish her rights of possession, the first respondent can certainly be compelled to release the power supply.

Hence, the writ petition is disposed of, leaving it open to the petitioner or his wife, as the case may be, to approach the first respondent, as and when their possession over the

premises is declared, by the Court of law, to be lawful. There shall be no order as to costs.

27.07.2007

JSU